

FILED

United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

July 15, 2016

Elisabeth A. Shumaker
Clerk of Court

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JON MARTINSON, JR.,

Defendant - Appellant.

No. 16-4017
(D.C. No. 2:15-CR-00559-DS-1)
(D. Utah)

ORDER

Before **GORSUCH**, **BACHARACH**, and **PHILLIPS**, Circuit Judges.

This matter is before us on the United States' *Motion to Dismiss Appeal for Mootness*. The government moves to dismiss this appeal as moot based on its decision not to re-present the case to the grand jury for indictment. Appellant Martinson has filed a *Stipulation to Motion to Dismiss his Appeal on Grounds that the Government Will Not Prosecute Him*, wherein he confirms his nonopposition to the government's motion.

Upon consideration, the motion is granted. This appeal is dismissed.

A copy of this order shall stand as and for the mandate of the court.

Entered for the Court
ELISABETH A. SHUMAKER, Clerk

A handwritten signature in black ink, appearing to read "Jane K. Castro", with a long horizontal flourish extending to the right.

by: Jane K. Castro
Counsel to the Clerk